IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

Bail Appl..No. 367 of 2007()

CC.812/2006 of J.M.F.C.,PARAPPANANGADI
Crime No.208/92 of Tirurangadi Police Station

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: PETITIONER/ACCUSED:

SAIDALAVI KOYA, S/O.MOHAMMED,
AGED 35 YEARS, KARUTHEDATH MELETHODI HOUSE,
POST CHELEMBRA, MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.SUDHEER

RESPONDENT: STATE:

STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE SUB INSPECTOR
OF POLICE, TIRURANGADI POLICE STATION,
MALAPPURAM DISTRICT.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No.367 of 2007

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Dated this the 23rd day of January, 2007.

ORDER

Petitioner, who is the fourth accused in Crime No.208 of 1992 of Tirurangadi Police Station for offences punishable under Sections 143, 147, 148, 448, 323 and 324 read with Section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.180 of 1999 on the file of the J.F.C.M., Parappanangadi, the case against him was split up and refiled as C.C.No.812 of 2006. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted so as to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the trial court and seek regular bail. Accordingly, if the petitioner surrenders before the J.F.C.M., Parappanangadi and files an application for regular bail within two weeks from today, the same shall be considered and

disposed of on merits preferably on the same date on which it is filed.

With this direction, this application is disposed of.

V.Ramkumar,
Judge.

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